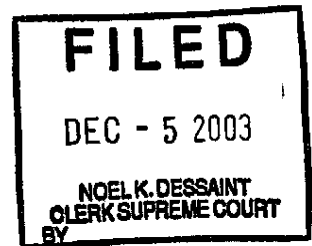


Hon. Denise Lundin
Clerk of Court in Cochise County
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STAFF ATTORNEYS
COPY



IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of: Rule 123, Arizona Rules of the)
Supreme Court)
Rules of Civil Procedure and Rules of)
Criminal Procedure) Supreme Court
R. No. 03-0012

Comment

The Cochise County Clerk of the Superior Court respectfully requests that the Supreme Court deny the petition for rule change and its alternative proposal due to the concerns cited by the Hon. Michael Jeanes, Maricopa County Clerk of the Superior Court. The Superior Court in and for Cochise County has yet to implement digital imaging, electronic distribution of minute entries and other technological advances that Maricopa County has although plans are underway to adopt said enhancements to increase the efficiency of the court system. It is premature for my office to fully understand the repercussions that this proposed rule will have on future practices. The adoption of a sensitive case data form would be possible today under our current semi-manual, semi-automated case file processing procedure.

I recognize the need to move forward quickly on protecting sensitive information. I support a revision to the proposed rule to include definitions which would satisfy the Maricopa County Clerk of the Superior Court.

Respectfully submitted this 5th day of December, 2003.

Marcy Kellan, Deputy Clerk,
on behalf of Denise I. Lundin
Hon. Denise I. Lundin
Clerk of Court in Cochise County

Original and 6 copies filed with:

Noel Dessaint, Clerk
Arizona Supreme Court
1501 West Washington, Suite 402
Phoenix, Arizona 85007

Copy mailed this 5th day of December to:
Hon. Sheldon H. Weisberg, Petitioner
Chairman, Ad Hoc Committee to Study Public Access to Electronic Court Records
Chief Judge, Arizona Court of Appeals, Division One
1502 W. Washington
Phoenix, Arizona 85007